

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE GRACE MARIE MILES, aka JANE
DOE, aka MARIE MILES, aka GRACE M.
MILES.

Debtor.

Case No: C 10-4725 SBA

ORDER DENYING MOTION FOR RECONSIDERATION

Docket 30

On March 30, 2012, the Court dismissed the Debtor’s bankruptcy appeal without prejudice for failure to prosecute. Dkt. 27. On April 30, 2012, the Debtor filed a notice of appeal and a motion for reconsideration. Dkt. 28, 29. On May 1, 2012, the Debtor superseded her motion for reconsideration with a corrected motion for reconsideration. Dkt. 30. However, the Debtor’s filing of a notice of appeal divested this Court of jurisdiction to consider her corrected motion for reconsideration. Gould v. Mutual Life Ins. Co., 790 F.2d 769, 772 (9th Cir. 1986). In any event, the Debtor’s motion is moot in light of the Ninth Circuit’s mandate dismissing the appeal as being “so insubstantial as to not warrant further review[.]” Dkt. 33. Accordingly,

IT IS HEREBY ORDERED THAT the Debtor's corrected motion for reconsideration is DENIED. This Order terminates Docket 30.

IT IS SO ORDERED.

Dated: March 4, 2013

Saundra B Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA

5 IN RE GRACE MARIE MILES,

6 Plaintiff,

7 v.

8 IN RE GRACE MARIE MILES et al,

9 Defendant.

10 _____/

11 Case Number: CV10-04725 SBA

12 **CERTIFICATE OF SERVICE**

13
14 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
15 Court, Northern District of California.

16 That on March 5, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said
17 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
18 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

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21 U.S. Trustee
22 Office of the U.S. Trustee / SF
23 Office of the U.S. Trustee
24 235 Pine Street
Suite 700
San Francisco, CA 94104

25 United States Bankruptcy Court Northern District of California
26 USBC-San Francisco
27 for the Northern Dist. of CA
28 235 Pine St
P.O. Box 7341
San Francisco, CA 94104

1 E. Lynn Schoenmann
2 800 Powell Street
3 San Francisco, CA 94104

4 Grace Marie Miles
5 P.O. Box 939
6 Los Altos, CA 94023-0939

7 Judge Thomas E. Carlson
8 US Bankruptcy Court
9 235 Pine Street
10 PO Box 7341
11 San Francisco, CA 94120

12 Dated: March 5, 2013

13 Richard W. Wiking, Clerk
14 By: Lisa Clark, Deputy Clerk

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